

**REMARKS**

**I. Introduction**

Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested. The subject Amendment is submitted in response to the interview conducted on May 6, 2004. Applicants note with appreciation the discussion of the claimed subject matter during the interview. Applicants have amended the specification in accordance with the Examiner's suggestion. Support for this amendment can be found, for example, in Fig. 3. No new matter has been added.

For the reasons set forth below, Applicants respectfully submit that the pending claims are patentable over the cited prior art.

**II. The Rejection of Claims 1-14 Under 35 U.S.C. § 112, 1st and 2nd Paragraph**

Claims 1-14 stand rejected under 35 U.S.C. § 112, first and second paragraph, for failing to comply with the written description requirement and distinctly point out the claimed subject matter.

In response to this rejection and as discussed during the personal interview, Applicants have amended the specification to include the claim language "assigning a priority" so as to further clarify the claimed subject matter. In view of the amendment, it is respectfully submitted that each of the rejected claims complies with the written description requirement and is readily understood by one of skill in the art when read in light of the amended specification. As such, Applicants respectfully submit that the pending rejection under 35 U.S.C. § 112, first and second paragraph, has been overcome.

**III. The Rejection of Claims 1-8, 13 and 14 Under 35 U.S.C. § 102(b)**

Claims 1-8, 13 and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by USP No. 5,913,205 to Jain. Applicants respectfully submit that the claims are patentable over Jain for at least the following reasons.

In accordance with the present invention, the method of retrieving an image from at least one of an information-storage medium and an information network comprises assigning a priority to a keyword, said keyword operative as a tag, which is tagged to an image, and calculating a degree of importance for the image based on the priority assigned to the keyword. Specifically, as readily shown in Fig. 3 of Applicants' drawings, a pair of buttons 330 for each keyword is provided: one for increasing the level of the degree of importance and the other for decreasing it. The present invention enables the users to set the desired degree of importance for each keyword by clicking the level-up or level-down button. Through such operation, a retrieval request signal to search a desired image is output from the menu entry section 4 for calculating a degree of importance for the image based on the priority assigned to the keyword. The foregoing method allows beginners to search and obtain intended information and desired images conveniently and effectively.

In contrast to the method of the present invention, Jain only discloses a query window (see, Fig. 3) specifying alpha-numeric information such as keywords, dates, file name masks, project or clients names. Sliders are provided to control the relative importance or weights of the visual query attributes such as color, texture, shape, location and keywords. However, the slider only changes the importance of the attributes of **keywords**, but does not change a degree of importance for **each keyword**. It does not appear that a degree of importance can be adjusted for each keyword to a desired level nor a degree of importance for the image is calculated based on

the priority assigned to the keyword. Therefore, Jain does not disclose “assigning a priority to a keyword, said keyword operative as a tag, which is tagged to an image, and calculating a degree of importance for the image based on the priority assigned to the keyword,” as currently recited by claims 1 and 4.

Thus, as each and every limitations must be disclosed or suggested by the cited prior art, and Jain fails to do so, Applicants respectfully submit that claims 1 and 4, and the claims dependent thereon are patentable over the prior art.

**IV. All Dependent Claims Are Allowable Because The Independent Claims From Which They Depend Are Allowable**

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claims 1 and 4 are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also in condition for allowance.

**V. Request For Notice Of Allowance**

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited.

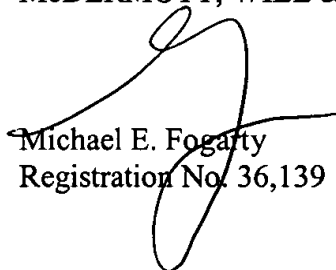
If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

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To the extent necessary, an additional petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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